

Report Date: October 20, 2016

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Oct 21, 2016**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Harold Buck Emick

Case Number: 0980 2:07CR00157-RMP-1

Address of Offender: [REDACTED] Spokane, Washington 99202

Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: July 2, 2008

Original Offense: Felon in Possession of a Firearm and Ammunition, 18 U.S.C. §§ 922(g)(1) and 924; Possession with the Intent to Distribute 50 Grams or More of a Mixture or Substance Containing Methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii);

Original Sentence: Prison - 94 months; Type of Supervision: Supervised Release
TSR - 48 months

Revocation Sentence: Prison - 3 months;
TSR - 45 months

Asst. U.S. Attorney: Aine Ahmed

Date Supervision Commenced: March 3, 2016

Defense Attorney: John Stephen Roberts, Jr.

Date Supervision Expires: December 2, 2019

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Standard Condition # 7:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

Supporting Evidence: On October 19, 2016, the undersigned officer received collateral information that the client may have relapsed. The client was contacted that date and directed to report to U.S. Probation to further discuss his adjustment to supervision. Upon reporting to U.S. Probation, the client admitted to using methamphetamine daily for approximately the last 2 weeks, with his last use of the substance occurring that morning. The client also indicated that he had used marijuana on at least two occasions over the past 2 weeks and admitted to taking more than his prescribed dosage of his prescription mental health medication. The client signed a drug use admission form documenting his most recent use of methamphetamine occurring that morning and documenting his most recent use of marijuana on or about Monday, October 17, 2016.

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Special Condition # 16: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On October 19, 2016, the undersigned officer received collateral information that the client may have relapsed. The client was contacted that date, and directed to report to U.S. Probation to further discuss his adjustment to supervision. Upon reporting to U.S. Probation, the client admitted to new illicit drug use. The undersigned officer commented that he had provided a urinalysis sample for testing at Alcohol Drug Education Prevention and Treatment (ADEPT) on Monday, October 17, 2016, that was documented as being negative for all drugs tested for. The client indicated that he had provided a substance other than his urine for testing at the time of the test, and that even though the test was monitored, utilizing another substance or somebody else's urine was easy to accomplish if you knew how to do it.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 20, 2016

s/ Chris Heinen

Chris Heinen
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

10/21/16

Date